

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-00741-RBW**

FEDERATION FOR AMERICAN IMMIGRATION REFORM
v. U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

Assigned to: Judge Reggie B. Walton
Case: 1:19-cv-02640-RBW
Cause: 05:552 Freedom of Information Act

Date Filed: 04/02/2018
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**FEDERATION FOR AMERICAN
IMMIGRATION REFORM**

represented by **Ralph L. Casale**
IMMIGRATION REFORM LAW
INSTITUTE
25 Massachusetts Avenue, NW
Suite 335
Washington, DC 20001
(202) 232-5590
Email: rcasale@irli.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Julie B. Axelrod
CENTER FOR IMMIGRATION
STUDIES
1629 K Street, NW
Suite 600
Washington, DC 20006
(703) 888-2442
Fax: (202) 466-8076
Email: jba@cis.org
TERMINATED: 06/08/2018

Sarah Rose Rehberg
IMMIGRATION REFORM LAW
INSTITUTE
25 Massachusetts Avenue, NW
Suite 335
Washington, DC 20001
(202) 232-5590
Email: srehberg@irli.org
TERMINATED: 10/30/2018

V.

Defendant

**U.S. IMMIGRATION AND
CUSTOMS ENFORCEMENT**

represented by **Diana Viggiano Valdivia**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2545
Email: diana.valdivia@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Doris Denise Coles-Huff
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530

(202) 252-2557
Fax: (202) 252-2599
Email: doris.coles@usdoj.gov
ATTORNEY TO BE NOTICED

Joshua L. Rogers
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2578
Fax: (202) 252-2599
Email: joshua.rogers3@usdoj.gov
TERMINATED: 03/06/2019

Date Filed	#	Docket Text
04/02/2018	<u>1</u>	COMPLAINT against U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (Filing fee \$ 400 receipt number 0090-5400579) filed by FEDERATION FOR AMERICAN IMMIGRATION REFORM. (Attachments: # <u>1</u> Summons Attorney General, # <u>2</u> Summons Defendant, # <u>3</u> Summons US Attorney, # <u>4</u> Civil Cover Sheet)(Axelrod, Julie) Modified on 4/3/2018 (zsth). (Entered: 04/02/2018)
04/02/2018		Case Assigned to Judge Reggie B. Walton. (zsth) (Entered: 04/03/2018)
04/03/2018	<u>2</u>	SUMMONS (3) Issued Electronically as to U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(zsth) (Entered: 04/03/2018)
04/13/2018	<u>3</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 4/13/2018. Answer due for ALL FEDERAL DEFENDANTS by 5/13/2018. (Axelrod, Julie) (Entered: 04/13/2018)
04/13/2018	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 04/13/2018. (Axelrod, Julie) (Entered: 04/13/2018)
04/13/2018	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT served on 4/12/2018 (Axelrod, Julie) (Entered: 04/13/2018)
04/17/2018	<u>6</u>	GENERAL ORDER. Signed by Judge Reggie B. Walton on April 17, 2018. (lcrbw1) (Entered: 04/17/2018)
04/24/2018	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 4/13/2018. Answer due for ALL FEDERAL DEFENDANTS by 5/13/2018. (Axelrod, Julie) (Entered: 04/24/2018)
04/24/2018	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 04/13/2018. (Axelrod, Julie) (Entered: 04/24/2018)
04/24/2018	<u>9</u>	ENTERED IN ERROR. . . .RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. (Axelrod, Julie) Modified on 4/25/2018 (ztd). (Entered: 04/24/2018)
04/25/2018		NOTICE OF CORRECTED DOCKET ENTRY: re <u>9</u> Summons Returned Executed as to Federal Defendant was entered in error and is duplicate of docket entry no. <u>5</u> (td) (Entered: 04/25/2018)
05/03/2018	<u>10</u>	NOTICE of Appearance by Joshua L. Rogers on behalf of U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (Rogers, Joshua) (Entered: 05/03/2018)
05/04/2018	<u>11</u>	NOTICE of Appearance by Sarah Rose Rehberg on behalf of FEDERATION FOR AMERICAN IMMIGRATION REFORM (Rehberg, Sarah) (Entered: 05/04/2018)

05/14/2018	<u>12</u>	Consent MOTION for Extension of Time to File Answer by U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (Attachments: # <u>1</u> Text of Proposed Order)(Rogers, Joshua) (Entered: 05/14/2018)
05/16/2018	<u>13</u>	ORDER. For the reasons stated in the attached Order, because the government's motion for an extension is premised on an erroneous conclusion, and because the government's requested deadline to respond is only one day after its answer or dispositive motion is actually due, it is hereby ORDERED that the government's <u>12</u> Motion for Extension of Time is DENIED. Signed by Judge Reggie B. Walton on May 16, 2018. (lcrbw1) (Entered: 05/16/2018)
06/08/2018	<u>14</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to FEDERATION FOR AMERICAN IMMIGRATION REFORM. Attorney Julie B. Axelrod terminated. (Axelrod, Julie) (Entered: 06/08/2018)
06/12/2018	<u>15</u>	ANSWER to Complaint by U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT.(Rogers, Joshua) (Entered: 06/12/2018)
06/13/2018		MINUTE ORDER. To ensure the expeditious resolution of this action, and because this qualifies as an exempted case under Local Civil Rule 16.3(b), it is hereby ORDERED that the parties shall file a joint proposed schedule governing further proceedings on or before July 6, 2018. Signed by Judge Reggie B. Walton on June 13, 2018. (lcrbw1) (Entered: 06/13/2018)
06/13/2018		Set/Reset Deadlines: Joint proposed schedule governing further proceedings due by 7/6/2018. (hs) (Entered: 06/13/2018)
07/02/2018	<u>16</u>	PROPOSED BRIEFING SCHEDULE by U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT. (Attachments: # <u>1</u> Text of Proposed Order)(Rogers, Joshua) (Entered: 07/02/2018)
07/02/2018		MINUTE ORDER. Upon consideration of the parties' <u>16</u> Joint Proposed Schedule, it is hereby ORDERED that this case shall proceed as follows: (1) the defendant shall file its motion for summary judgment on or before September 1, 2018; (2) the plaintiff shall file an opposition to the defendant's motion and a cross-motion for summary judgment on or before October 1, 2018; (3) the defendant shall file a reply in support of its motion and an opposition to the plaintiff's cross-motion on or before October 21, 2018; and (4) the plaintiff shall file a reply in support of its cross-motion on or before November 12, 2018. Signed by Judge Reggie B. Walton on July 2, 2018. (lcrbw1) (Entered: 07/02/2018)
07/02/2018		Set/Reset Deadlines: Defendant's Summary Judgment motions due by 9/1/2018. Response to Motion for Summary Judgment/Cross Motion due by 10/1/2018. Reply to Motion for Summary Judgment due by 10/21/2018. Reply to Cross Motions due by 11/12/2018 (hs) (Entered: 07/02/2018)
09/04/2018	<u>17</u>	Joint MOTION to Stay by U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (Attachments: # <u>1</u> Text of Proposed Order)(Rogers, Joshua) (Entered: 09/04/2018)
09/04/2018	<u>18</u>	ERRATA by U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT <u>17</u> Joint MOTION to Stay filed by U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT. (Attachments: # <u>1</u> Corrected Motion)(Rogers, Joshua) (Entered: 09/04/2018)
09/05/2018		MINUTE ORDER. Upon consideration of the parties' [18–1] Joint Motion to Stay, it is hereby ORDERED that this motion is GRANTED IN PART AND DENIED IN PART. It is further ORDERED that the parties' motion to stay the case is DENIED. It is further ORDERED that the current summary judgment briefing schedule is VACATED. It is further ORDERED that the parties shall file a joint status report on or before October 4, 2018, apprising the Court of whether the case can be resolved without further litigation. Signed by Judge Reggie B. Walton on September 5, 2018. (lcrbw1) (Entered: 09/05/2018)
09/06/2018		Set/Reset Deadlines: Joint Status Report due by 10/4/2018 (hs) (Entered: 09/06/2018)
09/11/2018	<u>19</u>	NOTICE of Appearance by Ralph L. Casale on behalf of FEDERATION FOR AMERICAN IMMIGRATION REFORM (Casale, Ralph) (Entered: 09/11/2018)

09/22/2018	<u>20</u>	Consent MOTION for Extension of Time to File by U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (Attachments: # <u>1</u> Text of Proposed Order)(Rogers, Joshua) (Entered: 09/22/2018)
09/27/2018		MINUTE ORDER. Upon consideration of the defendant's <u>20</u> Consent Motion to Extend, and for good cause shown, it is hereby ORDERED that this motion is GRANTED. It is further ORDERED that the parties shall file their joint status report on or before October 12, 2018. Signed by Judge Reggie B. Walton on September 27, 2018. (lcrbw1) (Entered: 09/27/2018)
09/27/2018		Set/Reset Deadlines: Joint Status Report due by 10/12/2018 (hs) (Entered: 09/27/2018)
10/12/2018	<u>21</u>	STATUS REPORT by FEDERATION FOR AMERICAN IMMIGRATION REFORM. (Casale, Ralph) (Entered: 10/12/2018)
10/17/2018		MINUTE ORDER. Upon consideration of the <u>21</u> Plaintiff's Status Report, it is hereby ORDERED that, on or before October 24, 2018, the defendant shall file its status report in compliance with the Court's September 27, 2018 Order. Signed by Judge Reggie B. Walton on October 17, 2018. (lcrbw1) (Entered: 10/17/2018)
10/17/2018	<u>22</u>	STATUS REPORT by U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT. (Rogers, Joshua) (Entered: 10/17/2018)
10/17/2018		Set/Reset Deadlines: Status Report due by 10/24/2018 (hs) (Entered: 10/17/2018)
10/17/2018		MINUTE ORDER. Upon consideration of the defendant's <u>22</u> Status Report, it is hereby ORDERED that the parties shall file their joint status report on or before November 13, 2018. Signed by Judge Reggie B. Walton on October 17, 2018. (lcrbw1) (Entered: 10/17/2018)
10/18/2018		Set/Reset Deadlines: Joint Status Report due by 11/13/2018 (hs) (Entered: 10/18/2018)
10/30/2018	<u>23</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to FEDERATION FOR AMERICAN IMMIGRATION REFORM. Attorney Sarah Rose Rehberg terminated. (Rehberg, Sarah) (Entered: 10/30/2018)
11/13/2018	<u>24</u>	Joint STATUS REPORT by U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT. (Rogers, Joshua) (Entered: 11/13/2018)
11/15/2018		MINUTE ORDER. Upon consideration of the parties' <u>24</u> Joint Status Report, it is hereby ORDERED that the parties shall file their joint status report on or before December 13, 2018. Signed by Judge Reggie B. Walton on November 15, 2018. (lcrbw1) (Entered: 11/15/2018)
11/15/2018		Set/Reset Deadlines: Joint Status Report due by 12/13/2018 (hs) (Entered: 11/15/2018)
12/13/2018	<u>25</u>	Joint STATUS REPORT by U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT. (Rogers, Joshua) (Entered: 12/13/2018)
12/17/2018		MINUTE ORDER. Upon consideration of the parties' <u>25</u> Joint Status Report, it is hereby ORDERED that the parties shall file their joint status report on or before January 14, 2019. Signed by Judge Reggie B. Walton on December 17, 2018. (lcrbw1) (Entered: 12/17/2018)
12/18/2018		Set/Reset Deadlines: Joint Status Report due by 1/14/2019 (hs) (Entered: 12/18/2018)
01/11/2019	<u>26</u>	MOTION to Stay by U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (Attachments: # <u>1</u> Text of Proposed Order)(Coles-Huff, Doris) (Entered: 01/11/2019)
01/15/2019		MINUTE ORDER. Upon consideration of the <u>26</u> Motion for Stay of All Proceedings in Light of Lapse of Appropriations, and for good cause shown, it is hereby ORDERED that the motion is GRANTED IN PART AND DENIED IN PART. The motion is GRANTED to the extent that the government seeks to vacate the impending deadlines in this case. The motion is DENIED in all other respects. It is further ORDERED that the impending deadlines in this case are VACATED pending further Order of the Court. It is further ORDERED that, on or before January 28, 2019, the parties shall file a joint status report regarding how this case shall proceed. Signed by Judge Reggie B. Walton on January 15, 2019. (lcrbw1) (Entered: 01/15/2019)

01/15/2019		Set/Reset Deadlines: Joint Status Report due by 1/28/2019 (hs) (Entered: 01/15/2019)
01/24/2019		MINUTE ORDER. In light of the continued lapse in appropriations, it is hereby ORDERED that the previously imposed deadline for filing a joint status report on or before January 28, 2019, is VACATED. It is further ORDERED that, on or before fourteen days after appropriations have been restored, the parties shall file a joint status report proposing new deadlines in this case. Signed by Judge Reggie B. Walton on January 24, 2019. (lcrbw1) (Entered: 01/24/2019)
02/08/2019	<u>27</u>	Joint STATUS REPORT by FEDERATION FOR AMERICAN IMMIGRATION REFORM. (Casale, Ralph) (Entered: 02/08/2019)
02/11/2019		MINUTE ORDER. Upon consideration of the parties' <u>27</u> Joint Status Report, it is hereby ORDERED that the parties shall file an additional joint status report on or before March 8, 2019. Signed by Judge Reggie B. Walton on February 11, 2019. (lcrbw1) (Entered: 02/11/2019)
02/12/2019		Set/Reset Deadlines: Joint Status Report due by 3/8/2019 (hs) (Entered: 02/12/2019)
03/06/2019	<u>28</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Diana Viggiano Valdivia on behalf of All Defendants (Valdivia, Diana) (Entered: 03/06/2019)
03/08/2019	<u>29</u>	Joint STATUS REPORT by FEDERATION FOR AMERICAN IMMIGRATION REFORM. (Casale, Ralph) (Entered: 03/08/2019)
03/08/2019		MINUTE ORDER. Upon consideration of the parties' <u>29</u> Joint Status Report, and for good cause shown, it is hereby ORDERED that the parties shall file an additional joint status report on or before April 8, 2019, apprising the Court of whether the case can be resolved without further litigation. Signed by Judge Reggie B. Walton on March 8, 2019. (lcrbw2) (Entered: 03/08/2019)
03/11/2019		Set/Reset Deadlines: Joint Status Report due by 4/8/2019. (gdf) (Entered: 03/11/2019)
04/08/2019	<u>30</u>	Joint STATUS REPORT by FEDERATION FOR AMERICAN IMMIGRATION REFORM. (Casale, Ralph) (Entered: 04/08/2019)
04/09/2019		MINUTE ORDER. Upon consideration of the parties' <u>30</u> Joint Status Report, and for good cause shown, it is hereby ORDERED that the parties shall file a joint status report on or before May 8, 2019, regarding how they wish to proceed in this case. Signed by Judge Reggie B. Walton on April 9, 2019. (lcrbw1) (Entered: 04/09/2019)
04/12/2019		Set/Reset Deadlines: Joint Status Report due by 5/8/2019 (hs) (Entered: 04/12/2019)
05/08/2019	<u>31</u>	Joint STATUS REPORT by FEDERATION FOR AMERICAN IMMIGRATION REFORM. (Casale, Ralph) (Entered: 05/08/2019)
05/10/2019		MINUTE ORDER. Upon consideration of the parties' <u>31</u> Joint Status Report, and for good cause shown, it is hereby ORDERED that, on or before June 10, 2019, the parties shall file an additional joint status report advising the Court of how they wish to proceed in this case. Signed by Judge Reggie B. Walton on May 10, 2019. (lcrbw2) (Entered: 05/10/2019)
05/13/2019		Set/Reset Deadlines: Joint Status Report due by 6/10/2019 (hs) (Entered: 05/13/2019)
06/10/2019	<u>32</u>	Joint STATUS REPORT by FEDERATION FOR AMERICAN IMMIGRATION REFORM. (Casale, Ralph) (Entered: 06/10/2019)
06/12/2019		MINUTE ORDER. Upon consideration of the parties' <u>32</u> Joint Status Report, and for good cause shown, it is hereby ORDERED that, on or before July 10, 2019, the parties shall file an additional status report advising the Court of how they wish to proceed in this case. Signed by Judge Reggie B. Walton on June 12, 2019. (lcrbw2) (Entered: 06/12/2019)
06/13/2019		Set/Reset Deadlines: Joint Status Report due by 7/10/2019 (hs) (Entered: 06/13/2019)
07/10/2019	<u>33</u>	Joint STATUS REPORT by FEDERATION FOR AMERICAN IMMIGRATION REFORM. (Casale, Ralph) (Entered: 07/10/2019)
07/11/2019		MINUTE ORDER. Upon consideration of the parties' <u>33</u> Joint Status Report, and for good cause shown, it is hereby ORDERED that, on or before August 12, 2019, the

		parties shall file an additional joint status report advising the Court of how they wish to proceed in this case. Signed by Judge Reggie B. Walton on July 11, 2019. (lcrbw2) (Entered: 07/11/2019)
07/11/2019		Set/Reset Deadlines: Status Report due by 8/12/2019. (gdf) (Entered: 07/12/2019)
08/12/2019	<u>34</u>	Joint STATUS REPORT by FEDERATION FOR AMERICAN IMMIGRATION REFORM. (Casale, Ralph) (Entered: 08/12/2019)
08/13/2019		MINUTE ORDER. Upon consideration of the parties' <u>34</u> Joint Status Report, it is hereby ORDERED that, on or before September 12, 2019, the parties shall file an additional joint status report advising the Court of whether the defendant has additional records responsive to the plaintiff's Freedom of Information Act request and proposing a schedule governing further proceedings in this case. Signed by Judge Reggie B. Walton on August 13, 2019. (lcrbw2) (Entered: 08/13/2019)
08/13/2019		Set/Reset Deadlines: Joint Status Report due by 9/12/2019 (hs) (Entered: 08/13/2019)
09/12/2019	<u>35</u>	Consent MOTION for Extension of Time to <i>File Joint Status Report</i> by FEDERATION FOR AMERICAN IMMIGRATION REFORM (Attachments: # <u>1</u> Text of Proposed Order)(Casale, Ralph) (Entered: 09/12/2019)
09/13/2019		MINUTE ORDER. Upon consideration of the plaintiff's <u>35</u> Consent Motion to Extend Time to File Joint Status Report, and for good cause shown, it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that, on or before September 30, 2019, the parties shall file an additional joint status report advising the Court of whether the defendant has additional records responsive to the plaintiff's Freedom of Information Act request and proposing a schedule governing further proceedings in this case. Signed by Judge Reggie B. Walton on September 13, 2019. (lcrbw2) (Entered: 09/13/2019)
09/13/2019		Set/Reset Deadlines: Joint Status Report due by 9/30/2019 (hs) (Entered: 09/13/2019)
09/30/2019	<u>36</u>	Joint STATUS REPORT by FEDERATION FOR AMERICAN IMMIGRATION REFORM. (Casale, Ralph) (Entered: 09/30/2019)
10/01/2019		MINUTE ORDER. Upon consideration of the parties' <u>36</u> Joint Status Report, it is hereby ORDERED that, on or before October 21, 2019, the parties shall file an additional joint status report advising the Court of whether the defendant has additional records responsive to the plaintiff's Freedom of Information Act request and proposing a schedule governing further proceedings in this case. Signed by Judge Reggie B. Walton on October 1, 2019. (lcrbw2) (Entered: 10/01/2019)
10/01/2019		Set/Reset Deadlines: Joint Status Report due by 10/21/2019 (hs) (Entered: 10/01/2019)
10/21/2019	<u>37</u>	Joint STATUS REPORT by FEDERATION FOR AMERICAN IMMIGRATION REFORM. (Casale, Ralph) (Entered: 10/21/2019)
10/25/2019		MINUTE ORDER. Upon consideration of the parties' <u>37</u> Joint Status Report, it is hereby ORDERED that the parties shall appear before the Court for a status conference on November 6, 2019, at 9:30 a.m. to ascertain whether the defendant has additional records responsive to the plaintiff's Freedom of Information Act request. Signed by Judge Reggie B. Walton on October 25, 2019. (lcrbw3) (Entered: 10/25/2019)
10/25/2019		Set/Reset Hearings: Status Conference set for 11/6/2019 at 09:30 AM in Courtroom 16 before Judge Reggie B. Walton. (tj) (Entered: 10/25/2019)
11/01/2019	<u>38</u>	Joint MOTION to Continue <i>November 6, 2019, Status Conference</i> , Joint MOTION to Clarify <i>October 25, 2019, Minute Order</i> by U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (Attachments: # <u>1</u> Text of Proposed Order)(Valdivia, Diana) (Entered: 11/01/2019)
11/04/2019		MINUTE ORDER. Upon consideration of the parties' <u>38</u> Joint Motion for Continuance of November 6, 2019 Status Conference and for Clarification of October 25, 2019 Minute Order, it is hereby ORDERED that the motion is GRANTED IN PART AND DENIED IN PART. The motion is GRANTED to the extent that it seeks a continuance of the status conference currently scheduled for November 6, 2019 and clarification of the Court's October 25, 2019 Minute Order. The motion is DENIED in all other

		respects. It is further ORDERED that the status conference currently scheduled for November 6, 2019, is CONTINUED to December 17, 2019, at 10:00 a.m. It is further ORDERED that, at the December 17, 2019 status conference, the defendant, through counsel or otherwise, shall be prepared to advise the Court regarding whether the defendant has additional records responsive to the plaintiff's Freedom of Information Act request. Signed by Judge Reggie B. Walton on November 4, 2019. (lcrbw2) (Entered: 11/04/2019)
11/04/2019		Set/Reset Hearings: Status Conference reset for 12/17/2019 at 10:00 AM in Courtroom 16 before Judge Reggie B. Walton. (hs) (Entered: 11/04/2019)